

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

EOTECH, LLC,

Plaintiff,

v.

Case No: 2:21-cv-11138-GCS-KGA

Hon. George Caram Steeh

JC AIRSOFT, LLC and
JACKY CHEUNG NG,
Defendants.

**STIPULATED ORDER OF PERMANENT INJUNCTION AND OTHER
RELIEF AND ORDER OF DISMISSAL**

Plaintiff EOTECH, LLC (“EOTECH”) and defendants JC Airsoft, LLC and Jacky Cheung NG hereby stipulate to the entry of the following order for entry of a permanent injunction, other relief, and for dismissal. Based upon the stipulation of the parties and the Court’s authority to issue this agreed permanent injunction order and dismissal pursuant Fed. R. Civ. P. 41 and the U.S. Trademark Act, 15 U.S.C. §§ 1051, 1116(a), and 1125(a) it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. Defendants and all of their agents, employees, contractors, agents, servants, officers, members, representatives, directors, attorneys, successors, affiliates, assigns, and all entities owned or controlled by Defendants, and/or all other persons acting in concert or participation with Defendants, are hereby permanently enjoined from: (a) manufacturing, importing, exporting, advertising,

marketing, promoting, distributing, displaying, offering for sale, selling and/or otherwise dealing in any products that use, reproduce, copy, imitate, or are likely to cause confusion with EOTECH's trademarks or designs, including but not limited to those identified by Registration Nos. 2,070,175, 5,148,734, 3,868,846, and 3,906,328 ("Unauthorized Products"); (b) directly or indirectly infringing, in any manner, any of EOTECH's trademarks including, without limitation the marks identified by Registration Nos. 2,070,175, 5,148,734, 3,868,846, and 3,906,328; (c) using any reproduction, counterfeit, copy or colorable imitation of EOTECH's trademarks (whether now in existence or hereafter created) to identify any goods or services not authorized by EOTECH and/or on or in connection with Unauthorized Products; (d) using any false designation of origin or false description, or engaging in any action which is likely to cause confusion, cause mistake and/or to deceive members of the trade and/or the public as to the affiliation, connection or association of any product manufactured, imported, exported, advertised, marketed, promoted, distributed, displayed, offered for sale, or sold by Defendants with EOTECH, and/or that any such products originate from and/or are sponsored by EOTECH; and (e) engaging in any other act in derogation of EOTECH's rights.

2. Defendants shall not make any statements calculated or likely to cause confusion or mistake in the minds of the trade or public or to deceive the trade or

public into believing that they are authorized to sell, manufacture, distribute, offer for sale, or otherwise deal in any EOTECH products.

3. Defendants agree to confirm in a sworn or verified writing to EOTECH within three (3) days of entry of this order that they have removed all product listings, marketing, and/or advertisements for any of the Unauthorized Products within their direct or indirect control and shall refrain from all such listings, marketing, and/or advertising.

4. Defendants shall cooperate fully, promptly, and in good faith with EOTECH and its counsel to eliminate any future unauthorized use of EOTECH trademarks or any future false statements involving EOTECH by any of Defendants' suppliers, business partners, distributors, customers, or other third parties.

5. Defendants shall pay to EOTECH the agreed upon sum of One Hundred Thousand United States Dollars (\$100,000.00).

6. If Defendants fail to comply with this Order in any respect, they shall be in contempt of Court and subject to such other sanctions and/or discipline as this Court deems appropriate or necessary.

7. The complaint is hereby dismissed without prejudice, but subject to the terms of the separate Settlement Agreement entered into by the parties. This Court retains jurisdiction with respect to this action and the parties hereto with respect to any application to enforce the provisions of this Order.

IT IS SO ORDERED.

Dated: August 3, 2021

s/George Caram Steeh
GEORGE CARAM STEEH
United States District Judge

Stipulated and Agreed to by:

BODMAN PLC

FISHMAN STEWART PLLC

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Dated: August 3, 2021